



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/081,680  | 02/25/2002  | John Elliot          | USP1042A-JE         | 2120             |
| 30265   | 7590        | 10/07/2005           | EXAMINER            |                  |
| RAYMOND Y. CHAN<br>108 N. YNEZ AVE., SUITE 128<br>MONTEREY PARK, CA 91754 |             |                      | THAI, CANG G        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3629                |                  |

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*ML*

**Office Action Summary**

Application No.

10/081,680

Applicant(s)

ELLIOT, JOHN

Examiner

Cang G. Thai

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☒ This action is FINAL.
- 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
  - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some \* c) ☐ None of:
    - 1. ☐ Certified copies of the priority documents have been received.
    - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

The amendment filed 07/12/2005 has been entered.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,564,380 (MURPHY).

As for claim 1, MURPHY discloses a process of accessing live activities and events through Internet, comprising the steps of:

(a) capturing at least a live action event having at least one participant carrying at least a video camera supported on an eye level position of said participant for capturing said live action event from a point of view of said participant, wherein an angle of said live action event is captured with respect to an eye view of said participant {Column 3, Lines 27-30, wherein this reads over "a plurality of video feeds generated from respective video cameras located on-site at a plurality of a designated local propagation server"};

Art Unit: 3629

(b) uploading said live action event to a central control site through Internet {Column 3, Lines 30-34, wherein this reads over “a plurality of local video-propagation servers located in respective different localities for receiving via Internet the video feeds from the respective video cameras located on-site at locations in respective ones of the different localities”};

(c) electronically communicating said central control site with a subscriber through Internet {Column 2, Lines 17-20, wherein this reads over “as millions of new sources of content are offered on digital TV channels and on Internet sites, content that is live and local will be in high demand to capture viewer’s interest”}; and

(d) broadcasting said live action event to said subscriber via said central control site through Internet, wherein said subscriber acts as a first person to participate said live action event while watching said live action event {Column 3, Lines 34-38, wherein this reads over “a master authorization server connected to the Internet for receiving requests via Internet from requesting parties for access to any of the video feeds transmitted to any of the propagation servers”}.

As for claim 2, MURPHY discloses the process, as recited in claim 1, wherein said participant carries said video camera via a head set, wherein said video camera is mounted on said head set at a position as same as said eye level position of said participant such that said video camera is controlled by said participant according to a head movement thereof {Column 3, Lines 47-50, wherein this reads over “the on-site video cameras can capture video feeds of live events and transmit them to the video propagation servers for access by requesting parties as live video feed”}.

As for claim 3, MURPHY discloses the process, as recited in claim 1, wherein said central control site not only acts an information center for subscribers to research information of said live action event through Internet but also is a central managing center for managing operation of said live action events {Column 3, Lines 50-52, wherein this reads over "a live video feed transmitted to a video-propagation server can be stored or cached in a video data storage provided with the propagation server"}.

As for claim 4, MURPHY discloses the process, as recited in claim 2, wherein said central control site not only acts an information center for subscribers to research information of said live action event through Internet but also is a central managing center for managing operation of said live action events {Column 3, Lines 50-52, wherein this reads over "a live video feed transmitted to a video-propagation server can be stored or cached in a video data storage provided with the propagation server"}.

As for claim 5, MURPHY discloses the process, as recited in claim 1, further comprising an additional step of accepting at least a sponsor to support said live action event by placing advertisement on a monitor screen of said subscribers during broadcasting said live action events {Column 5, Lines 19-23, wherein this reads over "such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for used with their identification graphics and any requested video feed"}.

As for claim 6, MURPHY discloses the process, as recited in claim 2, further comprising an additional step of accepting at least a sponsor to support said live action event by placing advertisement on a monitor screen of said subscribers during

Art Unit: 3629

broadcasting said live action events {Column 5, Lines 19-23, wherein this reads over "such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for used with their identification graphics and any requested video feed"}.

As for claim 7, MURPHY discloses the process, as recited in claim 4, further comprising an additional step of accepting at least a sponsor to support said live action event by placing advertisement on a monitor screen of said subscribers during broadcasting said live action events {Column 5, Lines 19-23, wherein this reads over "such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for used with their identification graphics and any requested video feed"}.

As for claim 8, MURPHY discloses the process, as recited in claim 1, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 9, MURPHY discloses the process, as recited in claim 2, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 10, MURPHY discloses the process, as recited in claim 4, wherein in said step (C) further comprises a step of providing an option menu comprising a data of

Art Unit: 3629

past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 11, MURPHY discloses the process, as recited in claim 7, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 12, MURPHY discloses the process, as recited in claim 8, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {See Fig. 5, Element "Master Video List Server"}.

As for claim 13, MURPHY discloses the process, as recited in claim 9, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {Column 11, Lines 9-11, wherein this reads over "the local network affiliate may contract with a local music club to sent a live video feed of a music performance at a certain date and time"}.

As for claim 14, MURPHY discloses the process, as recited in claim 10, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {Column 11, Lines 9-11, wherein this reads over "the local network affiliate may contract with a local music club to sent a live video feed of a music performance at a certain date and time"}.

As for claim 15, MURPHY discloses the process, as recited in claim 11, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {Column 11, Lines 9-11, wherein this reads over "the local network affiliate may contract with a local music club to sent a live video feed of a music performance at a certain date and time"}.

As for claim 16, MURPHY discloses the process, as recited in claim 2, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 17, MURPHY discloses the process, as recited in claim 4, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 18, MURPHY discloses the process, as recited in claim 7, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 19, MURPHY discloses the process, as recited in claim 11, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying message during said live action event {See Fig. 4, Element 410}.



As for claim 20, MURPHY discloses the process, as recited in claim 15, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 21, MURPHY discloses the process, as recited in claim 4, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

As for claim 22, MURPHY discloses the process, as recited in claim 7, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

As for claim 23, MURPHY discloses the process, as recited in claim 11, wherein said central control site provides at least a chat room for said subscribers involved in

Art Unit: 3629

said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

As for claim 24, MURPHY discloses the process, as recited in claim 15, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

As for claim 25, MURPHY discloses the process, as recited in claim 20, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

***Response to Arguments***

3. Applicant's arguments filed 07/12/2005 have been fully considered but they are not persuasive.

MURPHY discloses a video feed remote control system {Column 10, Lines 38-41, wherein this reads over "the preferred video feed management system of the invention obtains all of the video feeds generated or sent from the local sources and sends them through a local network node, referred to as a point-of-presence (PoP)".

MURPHY discloses an eye level position of the participant capturing the live event with a video camera via a head set in Column 11, Lines 56-59, wherein this reads over "Fig. 4 illustrates an example of setting up a Publishing Point 400 from a local PoP server 110 nearest the video feed source 120 for access by a requesting party 420 located near another local PoP server 410"}.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 3629

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

No claims are allowed.

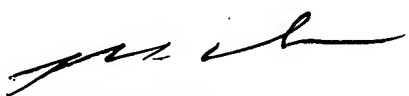
Art Unit: 3629

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
10/01/2005



JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600